

State of Indiana }
 }
County of Warrick }

SS:

Before the Board of Commissioners
of Warrick County, Indiana

In the matter of the petition to
vacate TWO (2) Utility and Drainage easements
of Lot #6 in Sunrise Estates, in Ohio
Township, Warrick County, Indiana

Vacation No: 2011-19

AN ORDINANCE TO VACATE TWO UTILITY AND DRAINAGE EASEMENTS ON
LOT 6 SUNRISE ESTATES SUBDIVISION, OHIO TOWNSHIP, WARRICK
COUNTY, INDIANA

Be it ordained by the Board of County Commissioners of Warrick County, Indiana, as
follows:

1. Pursuant to IC 36-7-3-12 & 16, a petition was presented to the Board of County Commissioners of Warrick County, Indiana, requesting that two (2) Utility and Drainage Easements on Lot 6 Sunrise Estates Subdivision in Ohio Township, Warrick County, Indiana be vacated, described as follows:

Legal Description Easement No. 1 Lot 6 Sunrise Estates

A part of LOT 6 OF Sunrise Estates as Recorded in Document 2000R-009556 in the office of Recorder and being a part of the Southwest Quarter of Section Twenty-Seven (27), Township Six (6) South, Range Nine West, in Ohio Civil Township, Warrick County, Indiana and being more particularly described as follows:

Commencing at the Southwest Corner of said Lot 6; thence North 79 degrees 59 minutes 10 seconds East, a distance of 168.42 feet; thence North 57 degrees 30 minutes 25 seconds East, a distance of 15.73 feet; thence South 79 degrees 59 minutes 10 seconds West, a distance of 176.90 feet; thence North 89 degrees 59 minutes 10 seconds West, a distance of 12.11 feet to the POINT OF BEGINNING; said described tract containing 0.0471 acre, more or less.

Legal Description Easement No. 2 Lot 6 Sunrise Estates

A part of LOT 6 of Sunrise Estates as Recorded in Document 2002R-009556 in the office of Recorder and being a part of the

Southwest Quarter of Section Twenty-Seven (27), Township Six (6)

South, Range Nine West, in Ohio Civil Township, Warrick County, Indiana and being more particularly described as follows:

Commencing at the Southeast Corner of said Lot 6, said point being the POINT OF BEGINNING; thence South 89 degrees 59 minutes 10 seconds West, a distance of 15.00 feet; thence North 0 degrees 05 minutes 45 seconds West, a distance of 167.24 feet; thence North 89 degrees 59 minutes 10 seconds East, a distance of 140.00 feet; thence South 0 degrees 05 minutes 45 seconds East, a distance of 15.00 feet; thence South 89 degrees 59 minutes 10 seconds West, a distance of 125.00 feet; thence South 0 degrees 05 minutes 45 seconds East, a distance of 152.24 feet to the POINT OF BEGINNING; said described tract containing 0.1006 acre, more or less.

2. That after due and proper notice, a public hearing was held by the Board of County Commissioners of Warrick County, Indiana, at which time all interested parties were permitted to address the Board.

3. That the Board of County Commissioners of Warrick County, Indiana, after due investigation and consideration, have determined that two (2) Utility and Drainage Easements on Lot 6 Sunrise Subdivision in Ohio Township, Warrick County, Indiana are not being used and are not necessary or required and that it is in the public's interest to vacate said two Utility and Drainage Easements on Lot 6 Sunrise Subdivision in Ohio Township, Warrick County, Indiana.

Legal Description Easement No. 1 Lot 6 Sunrise Estates

A part of LOT 6 OF Sunrise Estates as Recorded in Document 2000R-009556 in the office of Recorder and being a part of the Southwest Quarter of Section Twenty-Seven (27), Township Six (6) South, Range Nine West, in Ohio Civil Township, Warrick County, Indiana and being more particularly described as follows:

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Legal Description Easement No. 2 Lot 6 Sunrise Estates

A part of LOT 6 of Sunrise Estates as Recorded in Document 2002R-009556 in the office of Recorder and being a part of the

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and being more particularly described as follows:

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West, a distance of 15.00 feet; thence North 0 degrees 05 minutes 45
seconds West, a distance of 167.24 feet; thence North 89 degrees 59
minutes 10 seconds East, a distance of 140.00 feet; thence South 0
degrees 05 minutes 45 seconds East, a distance of 15.00 feet; thence
South 89 degrees 59 minutes 10 seconds West, a distance of 125.00
feet; thence South 0 degrees 05 minutes 45 seconds East, a distance of
152.24 feet to the POINT OF BEGINNING; said described tract containing
0.1006 acre, more or less.

4. The County Auditor shall furnish a copy of the ordinance to the County Recorder
to record.

Passed this 12th day of September 2011.

BOARD OF COUNTY COMMISSIONERS OF WARRICK COUNTY, INDIANA

By: Tim Mosbey
Tim Mosbey – Commissioner

By: Marlin Weisheit
Marlin Weisheit – Commissioner

By: Don Williams
Don Williams – Commissioner

L.B. "Dixie" Dugan
Dixie Dugan, Auditor of Warrick County, Indiana

DIXIE DUGAN

This document prepared by: Pam Gardner
415 Oak Street, Apt. #2, Richmond, KY 40475

"I affirm under the penalties for perjury, that I have taken reasonable care to redact each
social security number in this document, unless required by law. Pam Gardner

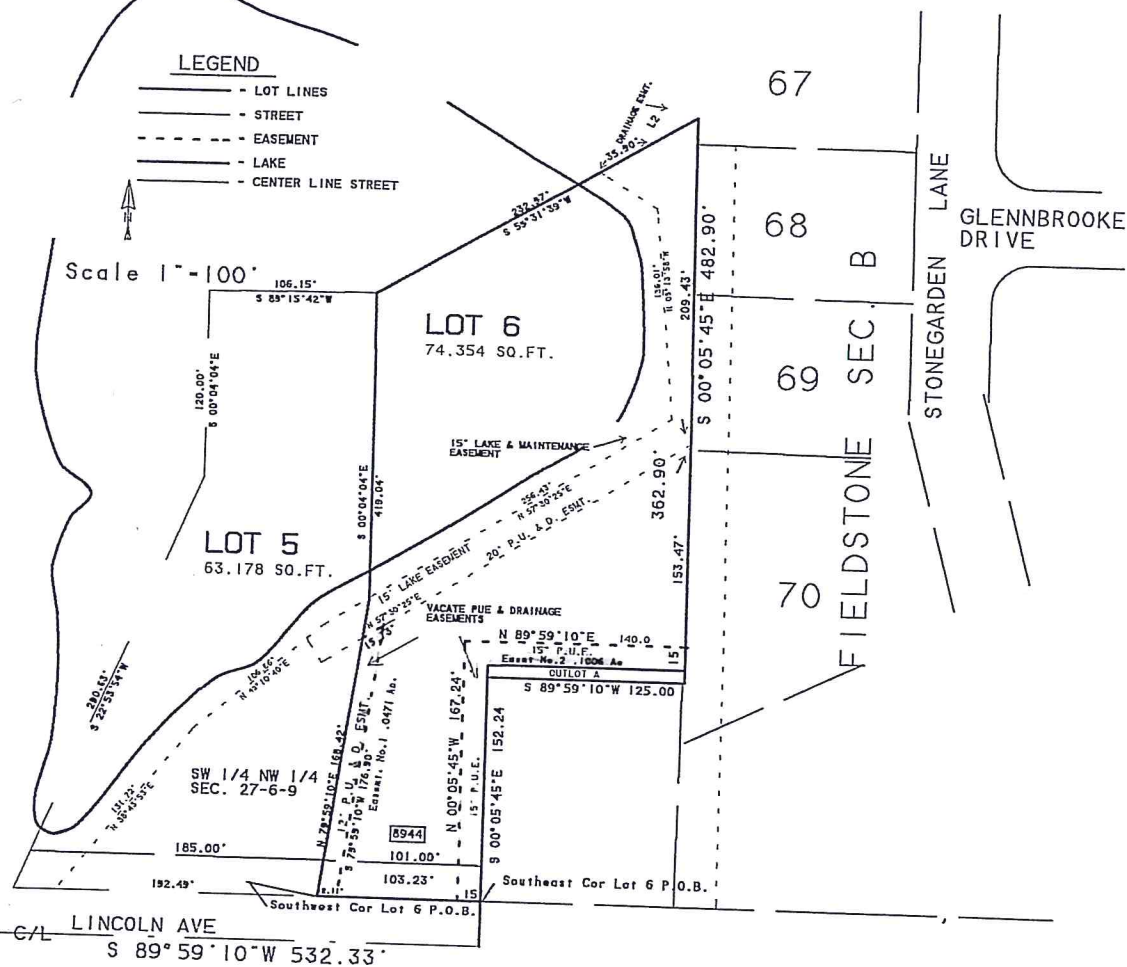
Exhibit "A"

EASEMENT VACATION OF LOT 6 SUNRISE ESTATES AS RECORDED PLAT FILE #2000R-009556 WARRICK COUNTY INDIANA

LEGEND

- LOT LINES
- STREET
- EASEMENT
- LAKE
- CENTER LINE STREET

Scale 1" = 100'



Prepared By
Utilities Consulting Co. Inc.
209 State Street
Newburgh, Indiana 47630
Date 4/18/10

Owner of Record
Pamela Gardner & Jeffery O. Gardner (deceased)
415 Oak St Apt 102
Richmond Kentucky 40475

State of Indiana }
 }
County of Warrick }

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of Warrick County, Indiana

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vacate TWO (2) Utility and Drainage easements
of Lot #6 in Sunrise Estates, in Ohio
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LOT 6 SUNRISE ESTATES SUBDIVISION, OHIO TOWNSHIP, WARRICK
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Easements on Lot 6 Sunrise Estates Subdivision in Ohio Township,
Warrick County, Indiana be vacated, described as follows:

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in the office of Recorder and being a part of the Southwest Quarter of
Section Twenty-Seven (27), Township Six (6) South, Range Nine West, in
Ohio Civil Township, Warrick County, Indiana and being more particularly
described as follows:

Commencing at the Southwest Corner of said Lot 6; thence North 79
degrees 59 minutes 10 seconds East, a distance of 168.42 feet; thence
North 57 degrees 30 minutes 25 seconds East, a distance of 15.73 feet;
thence South 79 degrees 59 minutes 10 seconds West, a distance of
176.90 feet; thence North 89 degrees 59 minutes 10 seconds West, a
distance of 12.11 feet to the POINT OF BEGINNING; said described tract
containing 0.0471 acre, more or less.

Legal Description Easement No. 2 Lot 6 Sunrise Estates

A part of LOT 6 of Sunrise Estates as Recorded in Document
2002R-009556 in the office of Recorder and being a part of the

Southwest Quarter of Section Twenty-Seven (27), Township Six (6)

Commencing at the Southeast Corner of said Lot 6, said point being the POINT OF BEGINNING; thence South 89 degrees 59 minutes 10 seconds West, a distance of 15.00 feet; thence North 0 degrees 05 minutes 45 seconds West, a distance of 167.24 feet; thence North 89 degrees 59 minutes 10 seconds East, a distance of 140.00 feet; thence South 0 degrees 05 minutes 45 seconds East, a distance of 15.00 feet; thence South 89 degrees 59 minutes 10 seconds West, a distance of 125.00 feet; thence South 0 degrees 05 minutes 45 seconds East, a distance of 152.24 feet to the POINT OF BEGINNING; said described tract containing 0.1006 acre, more or less.

2. Petitioners own the real estate wherein the described public ways are sought to be vacated. Petitioners seek to vacate these public ways so the present Lot 6 can be re-platted with easements that will be beneficial to the new configuration of lots.
3. The names and addresses of the persons, in addition to the petitioners who own the Property, adjoining the property and within 200 feet of the property to be vacated by this petition are listed: SEE ATTACHMENT AS EXHIBIT "B".
4. Attached to this petition is a location map/site plan, Exhibit "A", which more particularly identifies the areas sought to be vacated by this petition and the existing conditions upon the areas adjacent thereto. Filed concurrently herewith is a completed ordinance respecting the proposed vacation, notices to landowners whose land adjoins the property to be vacated and notice by publication by publication one (1) time in a newspaper of general circulation in the city.

Dated this 25 day of March, 2011

x Pamela Gardner

Pamela Gardner
415 Oak Street Apt 102
Richmond, KY 40475

STATE OF IND.)
COUNTY OF WARRICK) SS:

Before me, the undersigned, a Notary Public, in and for said County and Date, personally appeared the within Pamela Gardner, known to me to be Petitioner, who acknowledged the execution of the above and foregoing petition.

Witness my hand and Notarial Seal this 25 day of MARCH, 2014.

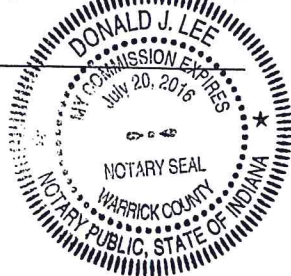
Donald J. Lee
Notary Public

DONALD J. LEE
Printed Name

Notary is a resident of WARRICK
County, _____

My Commission Expires:

7/20/16



PUBLIC NOTICE

STATE OF INDIANA
COUNTY OF WARRICK

IN THE MATTER OF THE VACATION OF A 12' PUBLIC UTILITY & DRAINAGE EASEMENT, AND A 15' PUBLIC UTILITY & DRAINAGE EASEMENT WHICH IS LOCATED ON LOT 6 IN SUNRISE ESTATES OHIO TOWNSHIP, WARRICK COUNTY, INDIANA

NOTICE OF A HEARING ON PETITION TO VACATE A 12' PUBLIC UTILITY & DRAINAGE EASEMENT, AND A 15' PUBLIC UTILITY & DRAINAGE EASEMENT, ALL OF WHICH IS LOCATED ON Lot 6 IN SUNRISE ESTATES

Notice is hereby given that the Board of Commissioners of Warrick County, Indiana, will, on the 21st day of August, 2011, at 4:00 m., in the Commissioner's Meeting Room, Third Floor, Courthouse, Booneville, Indiana, will hold a hearing on the petition of the owners of Lot 6 to vacate above described easements located in Sunrise Estates being located in Ohio Township, Warrick County, Indiana, which is more particularly described as follows, to wit:

All of the 12' and 15' P.U.E. & D.E. located on Lot 6 in Sunrise Estates, as per plat thereof, recorded as Document No. 2000R-009556 in the office of the Recorder of Warrick County, Indiana being more particularly described as follows:

Legal Description Easement No. 1 Lot 6 Sunrise Estates

A part of LOT 6 OF Sunrise Estates as Recorded in Document 2000R-009556 in the office of Recorder and being a part of the Southwest Quarter of Section Twenty-Seven (27), Township Six (6) South, Range Nine West, in Ohio Civil Township, Warrick County, Indiana and being more particularly described as follows:


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Also:

Commencing at the Southeast Corner of said Lot 6, said point being the POINT OF BEGINNING; thence South 89 degrees 59 minutes 10 seconds West, a distance of 15.00 feet; thence North 0 degrees 05 minutes 45 seconds West, a distance of 167.24 feet; thence North 89 degrees 59 minutes 10 seconds East, a distance of 140.00 feet; thence South 0 degrees 05 minutes 45 seconds East, a distance of 15.00 feet; thence South 89 degrees 59 minutes 10 seconds West, a distance of 125.00 feet; thence South 0 degrees 05 minutes 45 seconds East, a distance of 152.24 feet to the POINT OF BEGINNING; said described tract containing 0.1006 acre, more or less.

2. Petitioners own the real estate wherein the described public ways are sought to be vacated. Petitioners seek to vacate these public ways so the present Lot 6 can be re-platted with easements that will be beneficial to the new configuration of lots.
3. The names and addresses of the persons, in addition to the petitioners who own the Property, adjoining the property and within 200 feet of the property to be vacated by this petition are listed: SEE ATTACHMENT AS EXHIBIT "B".
4. Attached to this petition is a location map/site plan, Exhibit "A", which more particularly identifies the areas sought to be vacated by this petition and the existing conditions upon the areas adjacent thereto. Filed concurrently herewith is a completed ordinance respecting the proposed vacation, notices to landowners whose land adjoins the property to be vacated and notice by publication by publication one (1) time in a newspaper of general circulation in the city.

Dated this 26TH day of JULY, 2011



L. B. Dougan, Auditor

EXHIBIT "B"

PROPERTY OWNERS ADJOINING
LOT 6 OF SUNRISE ESTATES

87-12-27-109.001.000

Wilhite, Wesley B. and Nichole A.
4388 Frame Road
Newburgh, IN 47630

87-12-27-109.005.000

Lot 5 Sunrise Estates
Stevens, Darrell Ray and Karen Fay
8988 Blackstone Drive
Newburgh, IN 47630

87-12-27-109-002.000

Lot 2 Sunrise Estates
Pandit, Karuna
4422 Frame Road
Newburgh, IN 47630

71-12-27-100-106.000

Pt W1/2, W1/2, NW
Davis, James Q. and Carol L.
8888 Outer Lincoln Avenue
Newburgh, IN 47630

81-12-27-107-070.000

Lot 70 Fieldstone Sec B
Booher, Phillip A.
4555 Stonegarden Lane
Newburgh, IN 47630

87-12-27-107-069.000

Lot 69 Fieldstone Sec B
Jones, Stephen B.
4433 Stonegarden Lane
Newburgh, IN 47630

87-12-27-107-068.000

Lot 68 Fieldstone Sec B
Tron, Donald P. and Susan D.
4411 Stonegarden Lane
Newburgh, IN 47630

87-12-27-107-067.000

Lot 67 Fieldstone Sec B

4399 Stonegarden Lane

Newburgh, IN 47630

87-12-27-300-020.000

E Side W1/2, N1/2, NW, SW Sec 27-6-9

Kasnick, Sonya S.

8933 Outer Linclon Avenue

Newburgh, IN 47630

87-12-27-300-018.000

Pt W1/2, N1/2, NW, SW Sec 27-6-9

Schmitt, Pamela Sue

Revocable Trust

8977 Outer Linclon Avenue

Newburgh, IN 47630

OWNER OF RECORD

87-12-27-109-006.000

Lot 6 Sunrise estates

Gardner, Pamela and Jeffrey Q. (Deceased)

415 Oak Street Apt 102

Richmond, KY 40475